

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JACOB ANDREW BERGERON,

Plaintiff,

v.

CIVIL ACTION NO.
1:16-CV-647-TWT

CHEROKEE COUNTY SUPERIOR
COURT JUDGE ELLEN MCELYEA,
et al.,

Defendants.

**MAGISTRATE JUDGE'S FINAL ORDER AND REPORT AND
RECOMMENDATION**

On February 29, 2016, the Plaintiff, Jacob Andrew Bergeron ("Plaintiff") filed a Complaint (Doc. 1) against several Defendants. The Plaintiff failed to pay the Court's filing fee and moved to proceed in forma pauperis. On April 21, 2016, this Court entered an Order (Doc. 2) denying Plaintiff's application to proceed in forma pauperis at that time, but explained to Plaintiff that the Court would reconsider Plaintiff's application if Plaintiff completed the Court's Application to Proceed in District Court Without Prepaying Fees or Costs form by May 5, 2016. Although the Clerk sent the required form to Plaintiff for his completion, Plaintiff did not respond to this Court's Order. As a result, on June 22, 2016, this Court Ordered Plaintiff to pay the filing fee by July 22, 2016. (Doc. 3). Plaintiff was warned that if he failed to pay the filing fee by July 22, 2016, this Court would recommend that Plaintiff's case be dismissed without prejudice. To date, Plaintiff has not paid the filing fee or responded to this Court's

Orders. Local Rule 41.3A(2) provides that the Court may dismiss a case for want of prosecution if a plaintiff refuses to obey a lawful Order of the Court. LR 41.3A(2), NDGa. Because Plaintiff has refused to obey the lawful Order of the Court, this Court **RECOMMENDS** that his case be **DISMISSED WITHOUT PREJUDICE** for want of prosecution. As this is a final Report and Recommendation and there are no other matters pending before this Court, the Clerk is directed to terminate the reference to the undersigned.

SO ORDERED and REPORTED AND RECOMMENDED, this 19 day of August, 2016.



LINDA T. WALKER
UNITED STATES MAGISTRATE JUDGE